

STATE OF TENNESSEE

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STATE OFFICE BUILDINGS

TELEPHONE 615-741-3491  
FACSIMILE 615-741-2009

July 9, 2004

Honorable Pat Miller  
Chairman  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, Tennessee 37243

**RE: IN RE PETITION OF COUNCE NATURAL GAS CORPORATION TO  
INCREASE ITS RATES  
Docket No.: 04-00037**

Dear Chairman Miller:

Enclosed is an original and thirteen copies of the Consumer Advocate and Protection Division's Notice in Lieu of Expert Testimony. Kindly file the attached in this docket. By copy of this letter, we are serving all parties of record. If you have any questions, please feel free to contact me at (615) 532-3382. Thank you

Sincerely,

A handwritten signature in black ink that reads "Shilina B. Chatterjee".

Shilina B. Chatterjee  
Assistant Attorney General  
(615) 532-3382  
E-mail: shilina.chatterjee@state.tn.us

Enclosures  
cc All Parties of Record

76916

**IN THE TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE**

**IN RE:**

**APPLICATION OF COUNCE  
NATURAL GAS CORPORATION TO  
INCREASE RATES**

**DOCKET NO. 04-00037**

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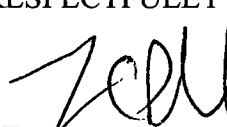
**THE CONSUMER ADVOCATE & PROTECTION DIVISION'S NOTICE IN LIEU OF  
EXPERT TESTIMONY**

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Comes now Paul G. Summers, Attorney General and Reporter for the State of Tennessee, through the Consumer Advocate and Protection Division of the Office of the Attorney General ("Consumer Advocate" or "CAD"), pursuant to Tenn. Code Ann. § 65-4-118(c)(2)(A), and hereby states as follows:

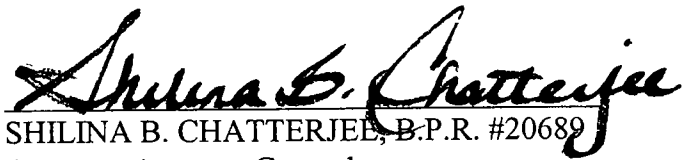
At this time, based upon our review and analysis of the factual information based on the filings in this docket, the Consumer Advocate is not inclined to file direct testimony in this matter. However, the Consumer Advocate respectfully requests that it be allowed, if necessary, to submit expert testimony and/or proof on additional issues that may arise in this matter at a later date before conclusion of this docket.

RESPECTFULLY SUBMITTED,



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TIMOTHY C. PHILLIPS, B.P.R. #12751  
Assistant Attorney General  
Office of the Attorney General  
Consumer Advocate and Protection Division  
(615) 741-3533  
E-mail: [timothy.phillips@state.tn.us](mailto:timothy.phillips@state.tn.us)

A handwritten signature in black ink, reading "Shilina B. Chatterjee". The signature is fluid and cursive, with the first name "Shilina" being more prominent.

SHILINA B. CHATTERJEE, B.P.R. #20689

Assistant Attorney General

Office of the Attorney General

Consumer Advocate and Protection Division

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Nashville, Tennessee 37202-0207

(615) 532-3382

E-mail: [shilina.chatterjee@state.tn.us](mailto:shilina.chatterjee@state.tn.us)

Dated: July 9, 2004

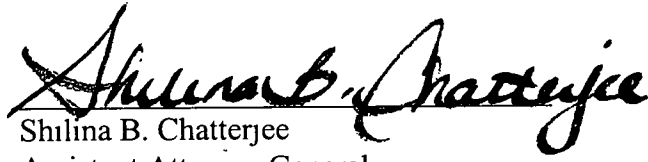
## CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served via facsimile and/or hand delivery on July 9, 2004.

Pat Miller  
Chairman  
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Shilina B. Chatterjee  
Assistant Attorney General